HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 2439 OF 2005.

Muhammad Ishaq. ...Applicant.

V/s.

State of Maharashtra & Ors. ...Respondents.

Shri Satish L. Maneshinde & Shantala Matti, for applicant.

Shri K.V.Saste, APP for respondent-State.

CORAM: A.M.KHANWILKAR,J
DATE : MAY 3, 2005

P.C. :-

1. As it is brought to my notice that one of the accused has already moved the Gujarat High court for quashing of the criminal case registered against them, in which the Gujarat High court has granted interim relief, which has the effect of staying further investigation of the case, in my view, nothing survives for consideration in the present application. In any case, the applicant before this court can take recourse to appropriate remedy before the Gujarat High court, to be considered alongwith the proceeding already pending before that court at the instance of co-accused arising out of the same complaint.

2. To enable the applicant to take necessary steps in that behalf, this application can be disposed of by giving limited protection to the applicant for a period of one week from today.

3. In the event of arrest of the applicant within the abovesaid period of one week from today, in connection with the subject offence registered with the J.P.Road Police Station, Vadodara in M Case No. 14 of 2005, he shall be released on bail on executing bond in the sum of Rs.10,000/-. The protection shall enure till such further order to be passed by the Gujarat High Court or the court of competent jurisdiction.

4. Application disposed of in the above terms.